

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PRENTICE COX,

Plaintiff,

-v-

257 BLEECKER LLC and THE GREEN ROOM WV,  
LLC,

Defendants.

CIVIL ACTION NO. 23 Civ. 1259 (MMG) (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

Attorney John MacDonald has filed a motion for Constangy Brooks Smith & Prophete, LLC (“Constangy”) to withdraw as counsel for Defendant 257 Bleeker LLC (“257”). (ECF No. 77 (the “Motion”)). As grounds for the Motion, Mr. MacDonald asserts that 257 has failed to (1) fulfill its contractual obligation to Constangy, (2) provide discovery or respond to settlement inquiries, or (3) communicate with Constangy to resolve these issues. (*Id.* at 1–2). Mr. McDonald has certified that he served the Motion on 257 via email, mail, and FedEx overnight delivery. (*Id.* at 4). To permit a ruling on the Motion, the Court orders as follows:

1. By **Wednesday, August 21, 2024**, Mr. MacDonald shall serve 257 with a copy of this Order and file proof of service on the docket.
2. By **Wednesday, August 28, 2024**, 257 shall file any response to the Motion. Mr. MacDonald is directed to ensure that any response by 257 is filed on the docket.

**257 is advised that, by law, corporations cannot proceed pro se. See Jacobs v. Pat. Enf't Fund, Inc., 230 F.3d 565, 568 (2d Cir. 2000).** Accordingly, in the event the Motion is granted,

257's failure to retain new counsel may lead to entry of a certificate of default and a default judgment. See Fed. R. Civ. P. 55(a).

Dated:           New York, New York  
                  August 20, 2024

SO ORDERED.



SARAH L. CAVE  
United States Magistrate Judge